

Message

From: McNally, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EFA5514317E34B9895687D73730FDDE9-ROBERT MCNALLY]
Sent: 2/27/2020 4:33:56 PM
To: Kausch, Jeannine [Kausch.Jeannine@epa.gov]
CC: Overstreet, Anne [overstreet.anne@epa.gov]
Subject: Re: Draft Response to Congressman Pingree and others on PBS

I think Anne has this to finish up

Sent from my iPhone

On Feb 27, 2020, at 10:40 AM, Kausch, Jeannine <Kausch.Jeannine@epa.gov> wrote:

FYI - Dian just pinged me about this and mentioned OPP IO wants to get something to OCSPP IO ASAP.

From: McNally, Robert <McNally.Robert@epa.gov>
Sent: Wednesday, February 26, 2020 6:55 PM
To: Overstreet, Anne <overstreet.anne@epa.gov>
Cc: Kausch, Jeannine <Kausch.Jeannine@epa.gov>
Subject: RE: Draft Response to Congressman Pingree and others on PBS

We need to get this to Alex before Portland – correct?

From: McNally, Robert
Sent: Wednesday, February 26, 2020 12:22 PM
To: Overstreet, Anne <overstreet.anne@epa.gov>
Cc: Kausch, Jeannine <Kausch.Jeannine@epa.gov>
Subject: FW: Draft Response to Congressman Pingree and others on PBS

Anne,

Can you give one final read and if OK, send to FEAD? I think it is in good shape with Jeannine's changes, but I need a third set of eyes, as well as another person who was in the room with Alex.

Thanks

bob

From: Kausch, Jeannine <Kausch.Jeannine@epa.gov>
Sent: Wednesday, February 26, 2020 11:50 AM
To: Jones, Russell <Jones.Russell@epa.gov>; McNally, Robert <McNally.Robert@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Borges, Shannon <Borges.Shannon@epa.gov>
Subject: RE: Draft Response to Congressman Pingree and others on PBS

My thoughts/edits are in green or strikethrough below. General suggestion overall (I didn't make the edits below) . . . I would try to use either first or third person throughout the letter or minimize switching between the two. (I talked to Dian about this, and she said she would try to adjust as appropriate.) Besides a few minor things, I think the letter draft looks pretty good.

Thanks,
Jeannine

From: Jones, Russell <Jones.Russell@epa.gov>
Sent: Wednesday, February 26, 2020 7:22 AM
To: McNally, Robert <McNally.Robert@epa.gov>; Kausch, Jeannine <Kausch.Jeannine@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Borges, Shannon <Borges.Shannon@epa.gov>
Subject: RE: Draft Response to Congressman Pingree and others on PBS

I thought it was important to regurgitate the language the Congress people had in their letter, but I'm OK with your edits

From: McNally, Robert <McNally.Robert@epa.gov>
Sent: Tuesday, February 25, 2020 6:52 PM
To: Jones, Russell <Jones.Russell@epa.gov>; Kausch, Jeannine <Kausch.Jeannine@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Borges, Shannon <Borges.Shannon@epa.gov>
Subject: RE: Draft Response to Congressman Pingree and others on PBS

Folks – take a look at my suggested changes.

Here are my goals:

Ex. 5 Deliberative Process (DP)

From: Overbey, Dian <Overbey.Dian@epa.gov>
Sent: Tuesday, February 25, 2020 4:42 PM
To: McNally, Robert <McNally.Robert@epa.gov>; Jones, Russell <Jones.Russell@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Borges, Shannon <Borges.Shannon@epa.gov>
Subject: RE: Draft Response to Congressman Pingree and others on PBS
Importance: High

Here's the draft.

The Honorable Chellie Pingree
U.S. House of Representatives

Washington, D.C. 20515

Dear Congresswoman Pingree:

Thank you for the letter of February 7, 2020, to the U.S. Environmental Protection Agency

Ex. 5 Deliberative Process (DP)

Ex. 5 Attorney Client (AC)

Sincerely,

Alexandra Dapolito Dunn, Esq.
Assistant Administrator

From: McNally, Robert <McNally.Robert@epa.gov>
Sent: Tuesday, February 25, 2020 4:41 PM
To: Overbey, Dian <Overbey.Dian@epa.gov>; Jones, Russell <Jones.Russell@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Borges, Shannon <Borges.Shannon@epa.gov>
Subject: RE: Draft Response to Congressman Pingree and others on PBS

I am having trouble opening this. How do I do?

From: Overbey, Dian <Overbey.Dian@epa.gov>
Sent: Tuesday, February 25, 2020 4:39 PM
To: McNally, Robert <McNally.Robert@epa.gov>; Jones, Russell <Jones.Russell@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Borges, Shannon <Borges.Shannon@epa.gov>
Subject: RE: Draft Response to Congressman Pingree and others on PBS
Importance: High

Made some edits. See attached. Let me know if you concur.

Dian

From: McNally, Robert <McNally.Robert@epa.gov>
Sent: Tuesday, February 25, 2020 3:44 PM
To: Overbey, Dian <Overbey.Dian@epa.gov>; Jones, Russell <Jones.Russell@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Borges, Shannon <Borges.Shannon@epa.gov>
Subject: RE: Draft Response to Congressman Pingree and others on PBS

This is where it gets tricky. I think we need to say – which we do – that we put out the DRAFT guidance for a second round of comment. That buys us time. I don't think we want to say we will not go final until Congress speaks – that could be years or never – but we need to say we will look to Congress for deciding which if any of the USDA options they prefer.

So, we want to do both – keep moving on our piece (not hold it up), but kind of delay it by re-proposing, and we will look forward to whatever, and whenever, Congress speaks.

Bob

From: Overbey, Dian <Overbey.Dian@epa.gov>
Sent: Tuesday, February 25, 2020 3:37 PM
To: Jones, Russell <Jones.Russell@epa.gov>; McNally, Robert <McNally.Robert@epa.gov>
Cc: Overstreet, Anne <overstreet.anne@epa.gov>; Borges, Shannon <Borges.Shannon@epa.gov>
Subject: RE: Draft Response to Congressman Pingree and others on PBS

Will we wait for Congress to determine which of the six paths forward they want to go with before redrafting the guidance?

Dian

From: Jones, Russell <Jones.Russell@epa.gov>
Sent: Tuesday, February 25, 2020 3:10 PM
To: McNally, Robert <McNally.Robert@epa.gov>
Cc: Overbey, Dian <Overbey.Dian@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>; Borges, Shannon <Borges.Shannon@epa.gov>
Subject: RE: Draft Response to Congressman Pingree and others on PBS

That is what I was getting at, but didn't articulate well. I agree with that assessment.

From: McNally, Robert <McNally.Robert@epa.gov>
Sent: Tuesday, February 25, 2020 2:47 PM
To: Jones, Russell <Jones.Russell@epa.gov>
Cc: Overbey, Dian <Overbey.Dian@epa.gov>; Overstreet, Anne <overstreet.anne@epa.gov>; Borges, Shannon <Borges.Shannon@epa.gov>
Subject: Re: Draft Response to Congressman Pingree and others on PBS

I like the draft.

One thought— I would make clear that we are deferring to Congress on MORE than just the definition of Biostimulants at the end — could we amend to make clear that we are also Awaiting Congressional input more broadly on the USDA options and that we will continue to work with our USDA colleagues?

Any thoughts on this?

Bob

Sent from my iPhone

On Feb 25, 2020, at 10:38 AM, Jones, Russell <Jones.Russell@epa.gov> wrote:

Bob/Dian:

Please review. Dian please let Bob revise/edit first before proceeding on your end for FEAD.

Original letter from Pingree et al is attached for reference.

Enjoy

Russ

Russell S. Jones, Ph.D., Senior Scientist
Chair, Biochemical Classification Committee
Risk Assessment Branch
Biopesticides & Pollution Prevention Division
Office of Pesticide Programs
US Environmental Protection Agency

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1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001
<http://www.epa.gov/pesticides>
<image005.jpg>

<image006.jpg>

<Draft Response to Congressman Pingree_02 25 2020.docx>
<5_Congressman_Signed biostimulant letter_to_Wheeler_.pdf>

